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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/535,579	05/19/2005	Hisanobu Dobashi	5259-000053/NP	6011

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EXAMINER
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ANGEBRANNDT, MARTIN J

ART UNIT	PAPER NUMBER
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1795

MAIL DATE	DELIVERY MODE
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06/02/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/535,579	<b>Applicant(s)</b> DOBASHI ET AL.	
	<b>Examiner</b> Martin J. Angebrannt	<b>Art Unit</b> 1795	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 5/19/05, 6/13/05, 1/3/07 & 3/8/07.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>5/19/05, 6/13/05, 1/3/07 &amp; 3/8/07</u> .                   | 6) <input type="checkbox"/> Other: _____                          |



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1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4,7 and 9-15 are rejected under 35 U.S.C. 102(b) as being fully anticipated by Kurihara et al. JP 2003-141475.

Kurihara et al. JP 2003-141475 teaches with respect to figure 2b, a hologram IC card, (30), which is equipped with a holograms (10) provided in a groove/recess and an IC chip (31). The hologram ROM has the structure shown in figure 1. and is a waveguide hologram. The electrode (32) contacts with the hologram reader [0017-0021]. The hologram reader is illustrated with respect to figure 3, and describes the accessing of that card which includes readout of information [0022-0039].

The examiner has read the claims to embrace removal of the holograms which might damage it. Clearly the position of the hologram at the corner of the card renders it amenable to delamination. Further, the groove language does not require the hologram be surrounded on four faces (three sides and the back face).

4. Claims 1-7 and 9-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kurihara et al. JP 2003-141475.

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To address other embodiments bounded by the claims, but not anticipated above, the examiner holds that the choice of the dimensions and the shape or relative orientation of the IC and the hologram to each other is considered a matter of design choice and the applicant has not shown the criticality of this.

5. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kurihara et al. JP 2003-141475, in view of Takeshita et al. JP 2001-265197.

Takeshita et al. JP 2001-265197 teaches the provision of a light absorbing layer on one side of hologram to reduce reflections.

To address other embodiments bounded by the claims, but not anticipated above, the examiner cites Takeshita et al. JP 2001-265197, who teaches the provision of a light absorbing layer and holds that it would have been obvious to one skilled in the art to back the hologram of Kurihara et al. JP 2003-141475 with a light absorbing layer to reduce unwanted reflection.

6. Claims 1-7 and 9-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kurihara et al. JP 2003-141475, in view of Redfield et al. '861, Earhart et al. '151, Mori et al. '556 and Hertich '186.

Redfield et al. '861 teaches a holographic memory incorporated into a cartridge with respect to figures 7 and 8. The cassette (82) is able to be inserted into slots (84,86) in the cassette holder (88) and can be ejected. Information regarding the location of the information stored in the medium is recorded in a microprocessor (72, see figure 7). The use of EEPROM with the cassette is disclosed. (8/49-9/6).

Mori et al. '556 teaches with respect to figures 8-10 a wide groove for accepting a hologram.

Earhart et al. '151 teaches a holographic recording medium included in a cartridge which includes a supplemental memory, such as an EEPROM. [0027-0032].

Hertich '186 teaches the disassembled structure of a holographic disk cartridge showing the medium (212) with respect to figure 11.

To address other embodiments bounded by the claims, but not anticipated above, the examiner cites Redfield et al. '861, Earhart et al. '151, Mori et al. '556 and Hertich '186 and holds that it would have been obvious to one skilled in the art to modify the IC holographic card of Kurihara et al. JP 2003-141475 by using releasable holding means such as those taught by Redfield et al. '861 and/or Mori et al. '556 with a reasonable expectation of successfully attaching the hologram to the holds which includes the IC based upon the teachings of Earhart et al. '151, Redfield et al. '861 and Hertich '186, which show holders for holograms which can be separated from the player and Hertich '186 showing the disassembly.

7. Claims 1,2,4-7 and 9-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yagi et al. '728, in view of Earhart et al. '151 and Hertich '186.

It would have been obvious to one skilled in the art to modify the disc form of Yagi et al. '728 by providing it a cassette with a supplemental memory as taught by Earhart et al. '151 with a reasonable expectation of success based upon Hertich '186 showing the disassembly and the references all being within the holographic arts.

8. Claims 1,2 and 9-10 are rejected under 35 U.S.C. 102(b) as being fully anticipated by Goulanian et al., WO 03/044574.

Goulanian et al., WO 03/044574 illustrates in figure 5 a waveguide holograms (10) inserted into a player for it which includes a computer. In this case as it is part of the apparatus it

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is considered integral within the meaning of the claims, noting that integral includes removable.

The computer inherently includes memory. The claims do not describe what information the memory contains.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Martin J. Angebranndt whose telephone number is 571-272-1378. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Huff can be reached on 571-272-1385. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Martin J Angebranndt/  
Primary Examiner, Art Unit 1795

Martin J Angebranndt  
Primary Examiner  
Art Unit 1795

5/29/08